

Message Text

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71

ACTION L-03

INFO OCT-01 AF-06 EUR-12 ISO-00 SCS-03 SCA-01 DEAE-00

SNM-02 JUSE-00 SSO-00 /028 W
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O R 202007Z FEB 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 8056

INFO AMEMBASSY DAKAR

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E.O. 11652: N/A

TAGS: PFOR, SNAR, SG, CPRS, AF

SUBJECT: UNITED STATES V. ORSINI

REF: STATE 40443

1. JUSTICE MINISTRY INFORMED EMBASSY FEBRUARY 20 THAT PROPOSED DEPOSITIONS IN ORSINI CASE COULD NOT BE AUTHORIZED BECAUSE FOREIGN EMBASSIES CANNOT TAKE DEPOSITIONS IN FRANCE FOR CRIMINAL CASES. ORSINI CASE IS VIEWED AS CRIMINAL CASE. HAGUE CONVENTION OF 1970 AND SUBSEQUENT FRENCH RESERVATIONS SPECIFICALLY DEAL ONLY WITH CIVIL AND COMMERCIAL MATTERS.

2. JUSTICE MINISTRY OFFICIAL STATED THAT ONLY SYSTEM USED IN FRANCE TO TAKE EVIDENCE IN CRIMINAL CASES IS BY LETTERS ROGATORY. OFFICIAL INDICATED MINISTRY'S WILLINGNESS TO RECEIVE U.S. REQUEST FOR LETTERS ROGATORY.

3. PER JUSTICE MINISTRY OFFICIAL, LETTERS ROGATORY MUST BE ADDRESSED BY AMERICAN JUDGE TO APPROPRIATE JUDICIAL AUTHORITY IN FRANCE. OUTLINE OF CASE SHOULD BE INCLUDED AS WELL AS SPECIFIC QUESTIONS AND NAMES AND ADDRESSES OF WITNESSES IN FRANCE. AMERICAN JUDGE MAY BE PRESENT AND THROUGH INTERPRETER HE MAY REQUEST THAT FRENCH JUDGE POSE QUESTIONS TO WITNESSES. NO LAWYER MAY

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BE PRESENT WHEN WITNESSES INTERVIEWED. ALTERNATIVELY

FRENCH JUDGE MAY ASK JUDICIAL POLICE COMMISSIONER TO
TAKE TESTIMONY AS REQUESTED IN LETTERS ROGATORY. IN
SUCH CASE AMERICAN JUDGE NOT AUTHORIZED, BUT AMERICAN
POLICE OFFICER MAY BE PRESENT.

4. GROUP VISIT TO PARIS PROPOSED REFTTEL HAS BEEN
POSTPONED VIA DEA CHANNELS.
RUSH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS, INVESTIGATIONS, INTERGOVERNMENTAL COOPERATION
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Draft Date: 20 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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Disposition History: n/a
Disposition Reason:
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Film Number: D760064-0685
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760230/aaaaazqe.tel
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